



26961

PATENT TRADEMARK OFFICE

Attorney Docket No. 5505P003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "DISPENSER AND PROCESS," the Specification of which is filed herewith and is a continuation-in-part of Application Serial No. 08/790,222 filed on February 3, 1997 which is a continuation-in-part of Application Serial No. 08/354,487, filed on December 12, 1994.

I hereby state that I have reviewed and understand the contents of the above-identified Specification, including the Claims, as amended by any Amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the Application on which priority is claimed:

Prior Foreign Application(s)

Priority
Claimed_____
Number_____
Country_____
Day/Month/Year
Filed_____
Yes No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number_____
Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States Application(s), or § 365(c) of any PCT International Application designating the United States, listed below and, insofar as the subject matter of each of the Claims of this Application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior Application and the national or PCT international filing date of this Application:

<u>08/790,222</u>	<u>February 2, 1997</u>	<u>Pending</u>
Application Number	Filing Date	Status
<u>08/354,487</u>	<u>December 12, 1994</u>	<u>Abandoned</u>
Application Number	Filing Date	Status

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this Application and transact all business in the Patent and Trademark Office connected therewith.

Robert E. Wogor	- 20,528	Richard C. Himelhoch	- 35,544
Daniel N. Christus	- 29,626	Monique A. Morneau	- 37,893
Alan L. Barry	- 30,819	Jeffrey R. Gargano	- 38,148
Linda A. Kuczma	- 30,861	Paul J. Nykaza	- 38,984
Roger H. Stein	- 31,882	Edward L. Bishop	- 39,110
Thomas K. Stine	- 32,310	James P. Muraff	- 39,785
James J. Jagoda	- 33,250	Nelson Nolte	- 42,938
Michael D. Lake	- 33,727	Marc D. Machtinger	- 43,434
Joseph A. Fuchs	- 34,604	Matthew J. Gryzlo	- 43,648
Robert W. Diehl	- 35,118	Peter M. Klobuchar	- 43,722
Bradley F. Rodemaker	- 35,331	Brent A. Hawkins	- 44,146
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I hereby declare all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Application or any patent issued thereon.

Full Name of Sole or First Inventor: Richard James May
Residential Street Address: 92 Ramblewood Drive
City and State/Province: Saylorsburg, PA
Country and Zip/Postal Code: USA 18353
Citizenship: USA
Mailing Address: Same as above
Inventor's Signature: *Richard J. May*
Date: 12/13/99

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PATENT TRADEMARK OFFICE

Attorney Docket No. 5505P003

ASSIGNMENTApplication No.: 09/459,704Filed: 12/13/99

IN CONSIDERATION of one dollar and other good and valuable considerations, the receipt of which is hereby acknowledged, the entire right, title and interest in the invention or improvements of the undersigned in "DISPENSER AND PROCESS" and in the application for Letters Patent of the United States therefor, executed by the undersigned concurrently herewith, and in any reissue or extension of any Letters Patent that may be granted upon said application are hereby assigned by the undersigned to JAMES ALEXANDER CORPORATION, a New Jersey corporation, and the successors, legal representatives and assigns of JAMES ALEXANDER CORPORATION, (hereinafter collectively called said Assignee), and the Commissioner of Patents is hereby authorized and requested by the undersigned to issue said Letters Patent to said Assignee.

FOR SAID CONSIDERATIONS, it is hereby agreed by the undersigned, upon the request of said Assignee, to execute any necessary and proper oaths or affidavits relating to said application or required for the filing or prosecution of any divisional, continuation or continuation-in-part application thereof or for the filing or prosecution of any application for the reissue or extension of any Letters Patent that may be granted on said invention or improvements that said Assignee may deem necessary or expedient, and for the said consideration it is further agreed by the undersigned, upon the request of said Assignee, in the event of said application or any division thereof, or Letters Patent issued thereon, or any reissue or application for the reissue thereof, becoming involved in interference, to cooperate to the best of the ability of the undersigned with said Assignee in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof, and further to perform, upon such request, any and all affirmative acts to obtain said Letters Patent and vest all rights therein hereby conveyed in the said Assignee as fully and entirely as the same would have been held and enjoyed by the undersigned if this Assignment and sale had not been made, and for the said considerations the entire right, title and interest in said invention or improvements, including all priority rights, and the right to claim priority rights and the privileges and benefits thereof, including those under the international convention, and all other conventions, and the right to file applications for patent in said Assignee's own name for said invention or improvements in each and every country of the world are hereby assigned and granted by the undersigned to said Assignee. It is further agreed by the undersigned, upon the request of said Assignee, to execute any and all documents that shall be required of the undersigned to be executed in connection with any and all applications for foreign Letters Patent therefor, including the prosecution thereof, and to execute any and all documents necessary to invest title in said foreign applications and patents in said Assignee. The attorneys of record in said application for patent are hereby authorized and requested by the undersigned to insert in this Assignment the date and serial number thereof in the places provided therefor.

Richard James May
Richard James May

STATE OF NEW JERSEY)
) SS
COUNTY OF WARREN)

On DECEMBER 29, 1999, Richard James May appeared before me, a Notary Public in and for the State and County aforesaid, and acknowledged that they freely and voluntarily subscribed and executed the foregoing Assignment for the purposes and uses therein expressed.

(SEAL)

Elaine Battiato
Notary Public

My commission expires: APRIL 8, 2002

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ELAINE BATTIATO
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES APRIL 8, 2002